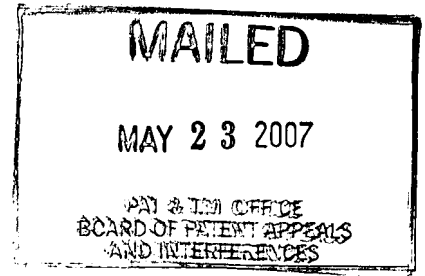


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER B. MADOFF,
ALBERTO C. CASANOVA
AND CHRISTOPHER KEITH

Application No. 09/272,542



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on March 9, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) was filed on October 24, 2005. A review of the Image File Wrapper reveals that the examiner has not considered the IDS. According to MPEP § 609 which states:

· Application No. 09/272,542

“ . . . The Examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 or PTO/SB/08A and 08B form.”

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner for consideration of the IDS, written notification to the applicant of such consideration and for further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: *Patrick J. Nolan*
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Deputy Chief Appeals Administrator
(571) 272-9797

PJN/dal

cc: FISH & RICHARDSON, PC
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